

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA**

STATE OF LOUISIANA,

Plaintiff,

v.

SANOFI-AVENTIS U.S. LLC, *et al.*,

Defendants.

Civil Action No. 3:23-cv-00302-
BAJ-SDJ

Removed from Case No. C-729791,
19th JUDICIAL DISTRICT COURT,
PARISH OF EAST BATON
ROUGE

**CAREMARKPCS HEALTH, L.L.C.’S NOTICE TO COURT OF CONDITIONAL
TRANSFER ORDER**

Defendant CaremarkPCS Health, L.L.C. writes to inform the Court that the United States Judicial Panel on Multidistrict Litigation (“JPML”) has conditionally transferred this action to the District of New Jersey for inclusion in a newly instituted MDL captioned *In re Insulin Pricing Litigation*, MDL No. 3080.

In re Insulin Pricing Litigation presently consists of five cases brought by State Attorneys General based on allegations substantially similar to those alleged here. The JPML consolidated those five cases pursuant to its August 3, 2023 Transfer Order.¹ *See* Ex. A. In the Transfer Order, the JPML identified other cases for potential inclusion in the MDL, including this case. The JPML acknowledged that a motion to remand is pending, but held that “pending motions for remand to state court . . . are no obstacle to transfer as such matters routinely are managed by the transferee judge.” *Id.* at 3.

¹ *Griffin v. Eli Lilly & Co., et al.*, No. 4:22-cv-00549 (E.D. Ark.); *Illinois v. Eli Lilly & Co., et al.*, No. 1:23-cv-00170 (N.D. Ill); *Kansas v. Eli Lilly & Co., et al.*, No. 5:23-04002 (D. Kan.); *Mississippi v. Eli Lilly & Co., et al.*, No. 3:21-cv-00674 (S.D. Miss.); *Montana et al. v. Eli Lilly & Co., et al.*, No. 6:22-cv-00087 (D. Mont.).

On August 4, 2023, the JPML issued a Conditional Transfer Order (the “CTO”) identifying seven additional cases that “involve questions of fact that are common to the actions previously transferred to the District of New Jersey” into the MDL. Ex. B. at 1. The JPML included this action in the CTO. *See id.* at 2. Pursuant to the CTO, this case will be transferred to the District of New Jersey for inclusion in the MDL unless a party objects to its inclusion and the JPML sustains the objection. Objections are due this Friday, August 11, 2023. *See id.* at 1.

DATE: August 9, 2023

/s/ James A. Brown

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CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2023 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ James A. Brown
*Attorney for CaremarkPCS Health, L.L.C. and CVS
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